

Message Text

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E.O. 11652: GDS

TAGS: TGEN, TBIO, UR

SUBJECT: CERTIFICATION OF SOVIET EMIGREE PHYSICIANS TO
PRACTICE MEDICINE IN THE U S

1. SCIATT MAY BE AWARE OF PAST TELEX CORRESPONDENCE
BETWEEN HEW AND MOH (SEE ESP. OIH 480 AND MOH 438) AND
BETWEEN EDUCATIONAL COMMISSION FOR FOREIGN MEDICAL
GRADUATES (ECFMG), COMMUNITY ACTION FOR LEGAL SERVICES,
MOH AND AMEMB MOSCOW CONCERNING SOVIETS LAWS ABOUT THE
RIGHTS AND PRIVILEGES OF SOVIET PHYSICIANS WITH DEGREE OF
VRACH AND SPECIALTY OF SANITARY HYGIENE. ALL CORRESPON-
DENCE HAS BEEN LOW KEY ALTHOUGH EMOTIONS BEHIND QUESTIONS
ARE GROWING AND IT APPEARS A COURT CASE WILL BE UNDER-
TAKEN BY 12 SOVIET EMIGREE PHYSICIANS AGAINST ECFMG. THE
FOLLOWING TEXT IS TO ADVISE EMBOFF OF APPARENT ISSUES IN
IMPENDING COURT CASE AND TO REQUEST SCIATT DISCUSS ISSUE
FURTHER WITH APPROPRIATE SOVIET AUTHORITIES.

2. IN SUMMARY, ECFMG IS PRIVATE ORGANIZATION WHOSE
CERTIFICATION IS PREREQUISITE FOR ANY FOREIGN MEDICAL
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GRADUATE (FMG) TO TAKE LICENSING EXAMS GIVEN BY EACH OF OUR
50 STATES. ECFMG ADMINISTERS TEST OF ENGLISH LANGUAGE
COMPETENCY AND BASIC MEDICAL KNOWLEDGE AFTER, REPEAT,
AFTER, THEY CERTIFY THAT (1) CANDIDATE HAS FOUR YEARS

TRAINING FROM A MEDICAL SCHOOL LISTED IN WHO DIRECTORY
AND (2) HAS UNRESTRICTED (ANY SPECIALTIES) LICENSE TO

PRACTICE MEDICINE IN THAT COUNTRY IF HE/SHE IS A CITIZEN. IN PAST, ECFMG DID NOT DISCRIMINATE BETWEEN 4 TYPES OF SOVIET VRACH AND ADMINISTERED TESTS TO ANYONE WITH VRACH DEGREE. FYI: SANITARY HYGIENE VRACH'S (SHV'S) DID REASONABLE WELL ON MEDICAL EXAMINATIONS. END FYI. MORE RECENTLY HOWEVER, ECFMG HAS 'DETERMINED' THAT SHV'S ARE NOT REALLY TRAINED TO, NOR DO THEY RECEIVE A LICENSE IN USSR TO PRACTICE CLINICAL MEDICINE. TWELVE SOVIET EMIGREE SHV'S WERE DENIED PERMISSION TO TAKE QUALIFICATION EXAMS AND HAVE BROUGHT COURT BA5 SUIT AGAINST ECFMG. EMIGREE SHV'S CLAIM IS AS YET UNCLEAR BUT THEY WILL PROBABLY PRESENT EVIDENCE THAT SHV'S CAN AND DO PRACTICE MEDICINE IN USSR. ECFMG WILL PROBABLY PRESENT EVIDENCE THAT SHV'S CAN ONLY PRACTICE CLINICAL MEDICINE IN SPECIAL CASES E.G. NEEDY RURAL AREAS OR AFTER SPECIAL EXAMINATIONS AND CERTIFICATION. BOTH SIDES HAVE U S EXPERTS IN SOVIET HEALTH CARE WHO WILL SUPPORT THEIR CLAIMS.

3. HEW/OIH WISHES ONLY TO ASSURE THAT ALL RELEVANT INFORMATION IS BROUGHT TO THE ATTENTION OF BOTH PARTIES AND REQUESTS THAT SCIATT OR STAFF ATTEMPT TO DISCUSS ISSUES PERSONALLY WITH APPROPRIATE MOH STAFF. EVERYONE HAS QUESTIONS ABOUT THE RELIABILITY OF SOVIET RESPONSES TO ALL PREVIOUS INQUIRIES AS IT IS ASSUMED THAT USSR AUTHORITIES DO NOT WANT TO BE PARTICULARLY HELPFUL TO EMIGREE PHYSICIANS. PREVIOUS RESPONSES HAVE BEEN NEGATIVE OR EQUIVOCAL AND INDEED CONTRARY TO WHAT MANY U S EXPERTS HAVE SEEN IN USSR E.G. JAN. 5, 1976 LETTER FROM EMBOFF GROSS TO ECFMG STATES SHV'S MAY NOT PRACTICE CLINICAL
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MEDICINE UNDER SOVIET LAW WHILE MOH 438 STATES THERE ARE SOME CASES. THE 'WORK BOOKS' OF EMIGREES SEEM TO INDICATE CLINICAL WORK RECORDS.

4. AT PRESENT BOTH SIDES APPEAR TO NEED CONCRETE INFORMATION ABOUT HOW AND UNDER WHAT CIRCUMSTANCES AND WITH WHAT TYPE OF CERTIFICATION A SHV IS ALLOWED TO PRACTICE CLINICAL MEDICINE IN THE USSR. THERE APPEARS NO QUESTIONS THAT UNDER SOME CIRCUMSTANCES SHV'S DO PRACTICE CLINICAL MEDICINE IN USSR. ECFMG IS NOW DISCRIMINATING BETWEEN

ACADEMIC VRACH DEGREE AND THE LICENSE OR CERTIFICATION THAT THE STATE GIVES THE PRACTITIONER TO PRACTICE MEDICINE. IN U S IT IS A TWO STAGE PROCESS AND THERE IS GROWING UNDERSTANDING AT ECFMG THAT A SOMEWHAT SIMILAR PROCESS OCCURS IN USSR WITH THE 'CENTRAL' OR 'STATE' EXAMINING OR CERTIFICATION COMMITTEES GIVING THE LICENSE (SEE ESP. MOH TELEX 438). ECFMG POLICY REQUIRES IT DEPENDS ON SOVIET LAWS AND REGULATIONS AND THEY NEED

CONCRETE EVIDENCE SUCH AS PAPER CERTIFICATES OR STAMPS OF APPROVAL AS EVIDENCE THAT A FMG CANDIDATE FOR ECFMG CERTIFICATION HAS LICENSE IN A FOREIGN COUNTRY TO PRACTICE MEDICINE. WHAT IS THAT CONCRETE EVIDENCE THEY CAN LOOK FOR IN THE DOCUMENTATION THAT CAN BE PRESENTED BY EMIGREE VRACHS?

5. THE SOVIET EMIGREE SHV'S HAVE REQUESTED HEW/OIH TO ATTEMPT TO OBTAIN INFORMATION FROM SOVIET AUTHORITIES ON HOW MANY AND/OR WHAT PERCENTAGE OF SHV'S IN THE USSR DO IN FACT PRACTICE CLINICAL MEDICINE?

6. OTHER LESS CLEAR QUESTIONS COME FROM BOTH SIDES ABOUT WHETHER AND HOW THERE HAS BEEN A CHANGE IN REGULATIONS CONCERNING THE RIGHTS OF SHV'S. THERE IS MUCH TALK ABOUT CHANGES IN LAWS AND REGULATIONS CONCERNING SHV'S
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IN 1958 AND 1967. DO PERSONS WITH DEGREES OF SHV'S FROM DIFFERENT YEARS HAVE DIFFERENT LICENSES?

7. BOTH SIDES ARE AWARE THAT CURRICULUM FOR SHV'S DIFFERS SIGNIFICANTLY FROM THAT OF VRACHS IN PEDIATRICS AND GENERAL THERAPY, ESPECIALLY IN YEARS 6 AND 7. DOES THIS CURRICULUM DIFFERENCE SIGNIFY THAT THESE SHV'S ARE REALLY TRAINED FOR WORK IN PUBLIC HEALTH ADMINISTRATION AND EPIDEMIOLOGY?

8. ALSO OF INTEREST IS THE SIGNIFICANCE OF HAVING ON THE DIPLOMA THE DESIGNATION OF VRACH AND THEN ONE OF FOUR OR FIVE SPECIALTY DESIGNATIONS SUCH AS PEDIATRICS, THERAPY, STOMATOLOGY, ETC. DOES THIS SPECIALTY DESIGNATION INDICATE THAT THESE VRACH'S ARE LIMITED OR ONLY LICENSED TO PRACTICE THAT SPECIALTY?

9. SCIATT OR EMBOFF REQUESTED ALSO TO OBTAIN AS MUCH ADDITIONAL INFORMATION ON THE SYSTEM OF CERTIFICATION OF PHYSICIANS TO PRACTICE MEDICINE IN USSR RELEVANT TO QUESTION AT HAND. ESPECIALLY USEFUL WOULD BE COPIES OF ANY LAWS OR REGULATIONS WHICH SET FORTH THIS PROCESS (NOTE OIH 480).

10. FOR BACKGROUND INFORMATION IN DISCUSSIONS SCIATT OR STAFF MAY WANT TO REMIND SOVIETS THAT ANSWERS TO THESE QUESTIONS MAY HAVE BROADER IMPLICATIONS THAN HERETOFORE SEEN, ESPECIALLY IF THEY ARE PUBLICIZED IN TRIAL. FOR EXAMPLE, SOVIETS CATALOG SCHOOLS FOR SHV'S AS MEDICAL SCHOOL IN WHO DIRECTORY AND INCLUDE SHV'S AS PHYSICIANS IN THIS AND OTHER PUBLICATIONS. IF THE ROLE OF SHV'S IS

IN FACT NARROWLY DEFINED BY SOVIETS AT THIS TIME, IT MAY
HAVE BEARING ON U S AND WORLD INTERPRETATION OF NUMBER OF

USSR MEDICAL SCHOOLS AND PHYSICIANS. ALSO, SOVIETS TRAIN
FOREIGN NATIONALS AS SHV'S AND DETAIL THEIR SHV'S TO LESS
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DEVELOPED COUNTRIES. IT WILL BE IMPORTANT TO CONSIDER
RAMIFICATIONS OF ANY ILL MOTIVATED STATEMENTS THEY MAY
NOW MAKE RE THE PLAINT OF SEVERAL EMIGREE SHV'S. EMBASSY
IS REMINDED ALSO THAT U S LAWS CONCERNING U S TESTING AND
USE OF FMG'S ARE BEING REVISED AND SOVIETS MUST BE
COGNIZANT THAT ANSWERS TO ABOVE QUESTIONS MAY HAVE
RELEVANCE FOR THE PARTICIPATION OF SOVIET VRACHS IN
FUTURE EXCHANGE AND TRAINING PROGRAMS IN U S. HEW/OIH
WOULD SUGGEST THAT SCIATT OR EMBOFF DISCUSS FULL BACK-
GROUND TO QUESTIONS AND IMPENDING COURT CASE ALTHOUGH WILL
RELY ON EMBASSY JUDGMENTS IN THIS MATTER.
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